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ABSTRACT

This paper examines changes that have occurred concerning the nature of inherency, in order to establish a better framework with which to evaluate the nature of the concept. Four changes are examined: the trend toward simular positions taken by affirmative and negative teams; the development of new types of inherency positions; growing differences in the views participants in debate have of inherency; and the introduction of new strategic responses to the problem of inherency. It is concluded that these trends make it difficult and sometimes impossible for a negative team to win total inherency. This limitation of inherency requires negative teams to view inherency as only one issue in a debate, although it may be an important issue, and to coordinate their stand on this one issue with their other positions to allow their position, at the end of the debate, to be the strongest position in the round. (TS)

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RECENT CHANGES IN THE NATURE OF INHERENCY

Walter Ulrich

The concept of inherency is an important issue in contemporary debate theory and practice. Inherency requires that the affirmative team locate the cause of the problem discussed, overcome the presumption that resides with the present system (or against the resolution, depending on the judging model used), demonstrate that the problem isolated is of a permanent nature, link the advantage claimed to the topical portions of their plan, and prove that their plan is, on balance, better than suggested alternatives.[1] In addition, the inherency positions taken by a team could influence issues as diverse as topicality, justification, solvency, and plan disadvantages. Clearly, inherency is a topic of vital importance to students of argumentation and debate.

Despite the importance of inherency, there has been little theoretical attention paid to the concept.[2] What development in the theory of inherency there has been, both in theory and practice, has often been incremental in nature; without any broad framework to examine the directions in which inherency is moving. This paper will attempt to step back and examine the changes that have occured recently concerning the nature of inherency, in the hope that this will establish a better framework with which to evaluate the nature

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of the concept. Four changes will be examined: the trend toward similar positions taken by affirmative and negative teams; the development of new types of inherency positions; growing differences in the views participants in debate have of inherency; and the introduction of new strategic responses to the problem of inherency.

I

There has been a tendency in recent years for negative teams to use inherency as a means of adopting a position quite similar to the affirmative plan. In the early 1960's, negative teams were more inclined to defend the present system without major modifications. Today, there is a trend toward negative teams going beyond defending the present system as it currently operates and arguing for expansion of current programs. The view tends to be that "If we change the structure in a 'small way' we have instituted only a minor repair which again leaves the structure unchanged."[3] Often, this has escalated beyond simple repairs to "repairs of repairs":

> . . . today a negative team is likely to throw out a general repair and claim it can solve the problem. They then wait anxiously for the affirmative to attack the repair and counter with additional new repairs or repairs to their original repair. And in the final analysis, we have a relatively unstructured negative position that offers repairs to repairs down to the last gasp of the last rebuttal.[4]

One result of the tendency of negative teams to continually repair the present system is that both the affirmative and negative teams tend to advocate similar positions in many rounds. In many debates, the first negative position could probably be summarized as saying that the resolution could be adopted without a structural change. On the health care topic, for example, many negative teams suggested

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that current health care programs could be expanded to include all citizens. Last year, several negative teams suggested that the CIA's covert activities could be abolished by congressional committees without any change in the laws. That the repairs amounted to the adoption of the resolution was dismissed as being irrelevant, since they were only "minor" changes in the present system, and thus are within the negative team's perogative.

One of the reasons for this trend may lie in the assumption made by most members of the debate community that all resolutions require the affirmative team to advocate an inherent change of the present system. This poses a problem when the resolution does not mandate a structural change, but merely requires an expansion of what the present system is already doing, or a change in attitudes.[5] While negative teams clearly have the right to make non-resolutional repairs, it should be realized that they can also make resolutional repairs, which are just as unacceptable as a resolutional counterplan. The two teams should attempt to isolate the essense of that which is required by the resolution (i.e., the necessary, or core features of the resolution), and compare that essense with the essense of the present system (as modified by any negative counterplans or repairs). The essense of these two systems can consist of structures, but the two systems could also be differentiated in terms of attitudes, motives, value hierarchies, or any other distinction agreed upon by the participants in the dispute. Where there is disagreement between the two teams about the nature of the two systems, the judge should settle the dispute just like any other argument; on the basis of the arguments in the round.[6]

The similar positions taken by affirmative and negative teams poses special problems for the negative team. The major problem is that of contradictions. As negative and affirmative positions become similar, it is difficult for second negatives to develop plan attacks that do not apply to first negative repairs as well as to the affirmative plan. Although there is some tendency for negative teams to try to coordinate their positions so as to avoid contradictions (and perhaps the increase in the use of counterplans is one example of a negative strategy designed to minimize this problem), this trend is not yet widespread enough to say whether it will have a permanent effect on debate in practice. The majority of negative teams tend to take positions similar to the affirmative case, thus preventing the development of totally unique plan attacks.[7]

II

Traditionally, affirmative teams have been required to demonstrate that the problem they isolate is caused by some inherent feature of the present system. In the past, it was required that this inherent barrier be a structural barrier; a product of the structures, laws, court decisions, or constitutional features of the present system. The affirmative team had to show that the present system could not solve its need.[8] In practice, a second type of inherency was often permitted, the "should not" inherency, which argued that, although current structures could solve the problem, they should not be used since to use current structures would only produce new problems.[9]

By the late 1960's, a third type of inherency had evolved: attitudinal inherency. This inherency argued that:

> . . . the present system's inability to achieve a given goal is a function of that system's control by a group of men who are attitudinally opposed to that goal, or who find other competing goals more desirable.[10]

The attitudes can either be on the same level of government that the affirmative embraces in enacting its plan (e.g., federal programs are advocated since federal officials are not doing their job), or on a different level of government (e.g., federal programs are advocated because state officials are not doing their jobs). Advocates of this inherency position suggest that the cause of many problems is attitudinal in nature: "Laws and bureaucratic organizations may solve or create problems depending on the attitudes or 'roles' they create."[11] Attitudinal inherency, according to many of its advocates, is "the purest form of inherency because laws and structures are merely manifestations of attitudes."[12]

There is no universal acceptance of attitudinal inherency. In his survey of the judges at the 1974 National Debate Tournament, Cox concluded that 17.6% of the judges at that tournament generally rejected attitudinal inherency, 33.8% generally accepted attitudinal inherency, while 48.5% accepted attitudinal inherency with reservations.[13] The degree of its acceptance would suggest that attitudinal inherency, although not universally recognized as being an acceptable form of inherency, will be with us in some form for some time.

In the past few years, an additional form of inherency has appeared: motivational inherency.[14] This school of inherency places the burden on the affirmative of isolating the motive for the problem they isolate to exist and to continue. Inherency, for advocates of this position, seeks to answer the question "Why would good and just

people tolerate the continued existence of harms?"[15] In order to fully examine the nature of a problem, and in order for the affirmative team to establish a prima facia case, the motives of those who have caused the problem must be known, and the plan must either alter the motive or circumvent the motive. This view of inherency has not yet gained wide acceptance, but it is beginning to gain followers.[16]

III

A third change in the nature of inherency is the growing differences in views taken by the participants in debate on the nature of inherency. There are many views of what constitutes an inherent need. It is arguable that attitudes, state inaction, administrative decisions, appropriation committee biases, or court decisions constitute an inherent barrier to change. There are also those who would suggest that these do not constitute inherent barriers. When two teams in a room hold differing theories of inherency, rational debate is difficult, since both teams are operating on different premises.[17] Commenting on the 1973 final round of the National Debate Tournament, Jones and Flegle observe that:

> Theoretical implications were never argued, nor were basic theoretical assumptions of the opposing teams. It would seem that this points to one of the major failures of debate in general. We have not adequately discussed and debated the underlying theories, rationales, etc. within our system. This becomes an accute problem when teams differ greatly on the assumptions incorporated into their positions without discussing the values (or impact) of their assumptions in the debate.[18]

The conflict in debate rounds over what inherency is centers around the different ways inherency can be defined, without going into the underlying rationale for why inherency should be established.

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Inherency becomes a "ritual term" that evokes awe, but which is never justified in the round as being important.[19] It is assumed that a case must be inherent, and the conflict centers around what is ment by inherency, not whether the justification for inherency applies to the specific case being debated.[20]

The failure of judges to require teams to justify their position on inherency probably is one of the major reasons for this trend. If teams were required to go beyond the mere raising of the issue of inherency and were required to discuss the implications of not being inherent in the specific round being debated, much of the conflict between the two sides could be avoided.[21] The way many judges view attitudinal inherency may provide a guideline for the evaluating of inherency attacks. Many judges view attitudinal inherency as being a debatable issue. The negative team is required (or at least permitted) to demonstrate that this type of inherency (or lack of it) would produce problems in the workability of the affirmative plan, or would produce other problems for the affirmative. The implications of this form of inherency is a debatable issue. Extending this to all forms of inherency would force the two teams to focus on the rationale for inherency, and whether or not it applied to the specific case debated (or in what manner it applied to the case debated), rather than quibbling over the definition of inherency used in the round, with no reference to why inherency should be an issue.

IV

A final change in the nature of inherency has come in the area of new strategic responses to the problem of inherency. Three

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strategic responses have been significant: the development of new types of cases; the delaying of inherency responses; and the increased use of the spread.

Many affirmative teams have sought to use new types of cases to help answer inherency attacks. Multiple advantages are offered in the hopes that if one advantage is lost due to a negative inherency attack, the other advantages could be won. The alternative-justification cases provide several different cases each of which justifies the resolution, and the loss of one portion of the case through inherency attacks (or any other negative attack, for that matter), allows the affirmative to drop that portion of the case and shift to other segments of the case.[22] Marginal definitions of the terms in the resolution are also used to catch the negative team unprepared.

At the same time new case types are being developed, affirmatives are delaying inherency responses until the second affirmative constructive speech. Often, first affirmative speeches are limited to the mere presentation of the plan and the description of a problem; there is no inherency position stated, nor are there generic indictments of current programs, which many argue are basic requirements for a prima facia case. Inherency (and thus the total prima facia statement of the affirmative case) is delayed until the negative position is made. To an extent, this may be justified by the nature of negative attacks. Often, there are many potential negative repairs that can be given in the first negative speech. It would be impossible to pre-empt all potential first negative repairs. The result is that affirmative teams, rather than waste time answering negative attacks

that are never made, wait for a negative position to be made before they take an inherency position.

Finally, both affirmative and negative teams are resorting to the spread as a method of winning inherency.[23] Negative teams present several minor repairs designed to solve the affirmative harm, while affirmative teams respond to each of the repairs with several answers, or else with generic responses that apply to all negative repairs.[24] Rather than concentrating on a few methods of solving a problem, several approaches are probed by both teams.

The result of these trends is that, as a practical matter, it is difficult, if not impossible, for a negative team to win total inherency. Usually, at the end of the debate, there is some residual advantage left with the affirmative that current structures cannot solve. Thus, as a practical matter, inherency <u>in isolation</u> usually does not win many debates, but it can minimize the advantage to a degree so that second negative disadvantages can overcome the advantage.[25] This limitation of inherency requires negative teams to view inherency as only one issue in a debate, although it may be an important issue, and to coordinate their stand on this one issue with their other positions to allow their position, at the end of the debate, to be the strongest position in the round.

Notes

[1]For further discussion of the justification for inherency, see Charles W. LaGrave, "Inherency: An Historical View," in Advanced Debate: Readings in Theory, Practice and Teaching, David A. Thomas editor (Skokie, Illinois: National Textbook Company, 1975), pp. 47-55, and Walter Ulrich, "The Role of Inherency in the Final Round of the National Debate Tournament: 1949-1975," Unpublished M.A. Thesis, University of Houston, 1975, Chapter II.

[2]See Tom Goodnight, Bill Balthrop and Donn W. Parson, "The Problem of Inherency: Strategy and Substance," Journal of the American Forensic Association, X (Spring, 1974), 230.

[3]Ibid.

[4]William B. English, "A Voice in the Wilderness," in "The 1971 Heart of America Final Round: Text and Critiques," Privately published, Speech Communications and Human Relations, University of Kansas, Lawrence, Kansas, 1971, p. 29.

[5]Goodnight, Balthrop and Parson discuss many of the problems that face an affirmative team that attempts to find an inherent barrier to the solution of problems. While some may argue that a good resolution requires that the affirmative team advocate a structural change, this does not mean that a team confronted with a bad resolution should be penalized for the wording of the topic. It is also arguable that many good topics do not require a structural change. Foreign policy topics rarely call for a structural change. (There is no barrier preventing the president from changing many of our foreign policy commitments; withdrawal from Vietnam, one of our hotest issues in the last decade, was done without any change in law.) It is not surprising that, in the past, when foreign policy topics have been debated, inherency (at least in the form of "topical" repairs) has been a very unimportant issue, compared to domestic topics.

[6]For those who view debate as requiring that the affirmative make a structural change, the option is always open to the negative to link inherency to topicality. The negative could argues that resolutions must mandate a structural change (a theoretical argument that obviously would be open to debate in the round), and that the affirmative case does not require a structural change, and thus cannot be a legitamate view of the topic. Where the negative team grants the topicallity of the affirmative case, however, saying that the topic can be adopted without a structural change is meaningless: both sides are advocating the resolution, and thus an affirmative ballot is required.

[7]This is not to argue that the negative team cannot get out of this contradiction. Often, the contradiction can be explained away by arguing that the minor repairs are conditional. One problem with this is that, if disadvantages apply to both the repairs and the affirmative plan, minimizing the case does the negative team no good at all. Unless the disadvantages outweigh the entire case, the negative team should lose (since the disadvantages apply to both the repairs

and the affirmative plan, while what is left on the case applies only to the affirmative plan), and if the disadvantages do outweigh the case, the negative team should win, even if first negative never gives a speech. There is also the added risk of disadvantages being turned around into additive advantages, since some of the affirmative plan planks may pre-empt some disadvantages, while the minor repairs do not include the specific pre-emptions. This would suggest that advocating a similar position to the affirmative plan is almost useless; wise negative teams should try to develop a distinct position that does not contradict plan attacks in any way (and perhaps run advantages to making minor repairs that they have over the affirmative plan, while second negatives are running disadvantages to the affirmative plan).

[8]This analysis also applies to the comparative advantage case. See David Zarefsky, "The 'Traditional case' - 'Comparative Advantage case' Dichotomy: Another Look," Journal of the American Forensic Association, VI (Winter, 1969), 12-20.

[9]An example of "should not" inherency is provided by James J. Unger and James Copeland: "Suppose that one favors federal aid to education. He will be hard pressed to prove that the states and local communities - the governments traditionally responsible for financing education - cannot solve the problems by raising more money. Yet it is still possible to argue for federal aid by maintaining that if the states increase expenditures for education they must make sacrifices in other areas of important social concern . . . . (Second Thoughts on the Question of Poverty in the United States (Skokie, Illinois: National Textbook Company, 1973), p. 7.

Some suggest that there is an additional type of inherency: existential inherency (the existence of a problem is proof that a problem is inherent). Unless this form of inherency is developed beyond the mere description stage, existential inherency can be termed the absense of inherency, since no reason for the failure of current programs is given. Since this form of inherency is generally not accepted, it will not be discussed here (where it is argued, it can be shifted to another form of inherency by suggesting minor repairs to the present system: that a problem exists now does not mean it will remain after changes are made in current programs dealing with the problem).

[10]David A Ling and Robert V. Seltzer, "The Role of Attitudinal Inherency in Contemporary Debate," Journal of the American Forensic Association, VII (Spring, 1971), 278.

[11]Gerald Thomas Goodnight, "Booklet of Judges", Twenty-Ninth Annual National Debate Tournament (April 18-21, 1975), p. 29.

[12]Kay Hodge, "Booklet of Judges", Twenty-Eighth Annual National Debate Tournament (April 19-22, 1974), (n.p.).

[13]J. Robert Cox, "A Study of the Judging Philosophies of the Participants of the National Debate Tournament," Journal of the American Forensic Association, XI (Fall, 1974), 67. These judges

are probably more liberal on the matter of attitudinal inherency than most judges since they tend to be more receptive to new developments in debate theory than the majority of debate coaches (due in part to their exposure to more of the new trends in debate).

[14]The subject of motivational inherency will be treated in more detail by another paper in this program, Kenneth M. Strange, "Inherency - Motives in Structure." For an earlier discussion of the justification for motivational inherency, see David Zarefsky, "Causation and the Analysis of Motives," Paper presented at the 61st annual meeting of the Speech Communication Association, December 30, 1975.

[15]David Zarefsky, "Changing Concepts in Forensics," Paper presented at the 60th annual meeting of the Speech Communication Association, Chicago, Illinois, December 29, 1974.

[16]It is possible that the theory of inherency may expand in new directions in the future. For example, it is possible that some form of inherency may be required for negative counterplans. Just as inherency is used today to demonstrate that the present system cannot have the affirmative advantage, the affirmative team may want to argue that a negative team show that the counterplan's advantages cannot be gained by the resolution. An example may help illustrate this point. If an affirmative team argues for reclamation of strip mines at the federal level, while the negative team counterplans with the abolition of strip mines on the state level (on this year's topic), and claims advantages of abolishing strip mining over reclamation, the affirmative team may chose to argue that the advantage is not inherent to the counterplan; it could be gained by a federal land use program as well. The counterplan should be limited to programs that inherently cannot be resolutional. The debate should center around what level the land use policy should be adopted at, not over which land use policy should be adopted, if both policies could be adopted at the federal level. A negative counterplan must have advantages that cannot be gained through the resolution. Whether this type of inherency will evolve will depend on the nature of counterplans that are offered by negative teams, but this approach would help focus the debate on the merits of the resolution (and the comparison of the essense of the resolution with the essense of that which is non-resolutional), as opposed to comparing what could be two affirmative plans. This view would argue that inherency resides with neither side in a debate, but rather can apply to either side, depending on the nature of the debate.

[17]See, for example, "The 1974 Heart of America Final Round: Text and Critiques," Privately Published, Speech Communications and Human Relations, University of Kansas, Lawrence, Kansas, 1974.

[18]Ben Jones and Jim Flegle, "Conflicting Assumptions of Modern Debate: A Classic Example," Speaker and Gavel, XI (March, 1974), 70. For a reply to this article by a participant in the round and his coach, see David Zarefsky and Elliot Mincberg, "Theoretical Issues in Academic Debate: The Obstacles to Discussion," Speaker and Gavel, XII (Fall, 1974), 15-16.

[19]John Derebery, "Another Look at 'Inherency'," Rostrum, XLII (December, 1967), 9-10.

[20]This does not mean that I think that there is never any need for a case to be inherent. What I am suggesting is that there may be cases where inherency is not required (for example, where solvency is not in question and the resolution does not require a structural change); there may also be cases where inherency is important. It is for the participants in the round to decide the impact of a lack of inherency, however; it is not for the judge to impose his/her personal bias upon the debarers.

[21]For example, it would be a legitimate argument for the negative to suggest that, if we do not know why current programs fail, there is no reason to adopt the affirmative case, since the defects of the present system may continue to exist under the affirmative plan. If the affirmative could demonstrate clear solvency (through examples of where similar programs have worked, or through other means), then inherency would be meaningless, since the reasons for inherency being an issue in that round have been answered by other arguments. Inherency may be one way of meeting the affirmative team's obligations, but it is possible that there may be some rounds where other types of arguments are just as legitimate. It is a debatable issue, and should be judged on the basis of the arguments in the rounds. In the above example, if the affirmative team could not prove solvency, then the negative team should win. This would be true for the other justifications given for inherency - but they should be argued in the round. In many ways, this approach is similar to the view many judges take on counterplans, allowing theoretical issues to be determined by the discussion of those issues in the round.

[22]Goodnight, Balthrop and Parson, pp. 334-335.

[23]Clearly the spread is used on other issues also, but since time constraints are more of a problem in rebuttals than in constructive speeches, the spread is usually a greater factor on inherency issues than on other issues.

[24]It is not the view of the author that the spread results in superficial analysis of the inherency arguments. The reverse is the case. Rather than focusing on only one of the programs that exist to solve the problem, several programs are examined, giving a greater insight into the entire nature of the present system, rather than a limited view of only one or two of the many programs included in current laws. For each program discussed, several potential areas of weakness are discussed, rather than only one or two weaknesses.

[25]This assumes, of course, that the judge does not view presumption as having a quantitative dimention requiring that the affirmative team demonstrate significance in isolation from the negative team's disadvantages, as opposed to merely a qualitative dimention that locates presumption on the side of one of the teams in the round, but uses it only to break ties.